THE Humble Petition and Advice

Presented unto His HIGHNESS

THE LORD PROTECTOR

BY

The Knights, Citizens, and Burgesses

ASSEMBLED

At the Parliament begun and held at WESTMINSTER the 17th day of September, 1656. and there continued until the 26th day of June following, and then adjourned unto the 20th day of January 1657.

As also,

Their *Humble Additionall and Explanatory* PETITION *and* ADVICE,

Presented unto his Highness in the same Parliament;

Together with His HIGHNESS Consent unto the said PETITIONS when they were respectively presented.

EDINBURGH, Re-printed by *Christopher Higgins*, in *Hartſ*-Cloſe, over againſt the Trone-Church. 1657.

TO HIS HIGHNES THE LORD PROTECTOR OF THE Commonwealth of *England*, *Scotland*, and *Ireland*, and the Dominions thereto belonging;

The Humble Petition and Advice, of the Knights, Citizens, and Burgesses now Assembled in the Parliament of this Commonwealth.

WE the Knights, Citizens, and Burgesses in this present Parliament Assembled, taking into our most serious consideration the present state of these three Nations joyned and united under your Highnes Protection, cannot but in the first place with all Thankfulnes acknowledge the wonderfull Mercy of Almighty God, in delivering us from that Tyranny and Bondage, both in our Spiritual and Civil Concernments, which the late King and his Party, designed to bring us under, and pursued the effecting thereof by a long and bloody war; And also, That it hath pleased the same gracious God to preserve Your Person in many Battels, to make You an Instrument for preserving

ſerving our Peace, although environed with Enemies abroad, and filled with turbulent, reſtleſs and unquiet ſpirits in our own bowels, that as in the treading down the Common-Enemy, and reſtoring us to Peace and Tranquility, the Lord hath uſed You ſo eminently, and the worthy Officers and Soldiers of the Army (whoſe faithfulneſs to the Common-Cauſe, We and all good Men, ſhall ever acknowledge, and put a juſt value upon: So alſo that He will uſe You and Them in the ſetling and ſecuring our Liberties as We are Men and Chriſtians, to Us and our Poſterity after Us, which are thoſe great and glorious Ends which the good People of theſe Nations have ſo freely with the hazard of their Lives and Eſtates, ſo long and earneſtly contended for. We conſider likewiſe the continual danger which Your Life is in, from the bloody Practiſes both of the Malignant and diſcontented Party (one whereof through the goodneſs of God, You have been lately delivered from) It being a received Principle amongſt them, That no Order being ſetled in Your Life-time for the Succeſſion in the Government, nothing is wanting to bring Us into Blood and Confuſion, and Them to their deſired Ends, but the Deſtruction of Your Perſon; And in caſe things ſhould thus remain at Your Death, We are not able to expreſs what Calamities would in all humane probability enſue thereupon, which We truſt Your Highneſs (as well as We) do hold Your Self obliged to provide againſt, and not to leave a People whoſe common Peace and Intereſt You are intruſted with,

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in such a condition as may hazard both, especially in this Conjuncture, when there seems to be an opportunity of coming to a Settlement upon just and legall Foundations: Upon these Considerations, we have judged it a duty incumbent upon us, to present and Declare these our most just and necessary Desires to Your Highness.

I.

That Your Highness will be pleased by and under the Name and Stile of Lord Protector of the Commonwealth of England, Scotland and Ireland, and the Dominions and Territories thereunto belonging, To hold and exercise the Office of Chief Magistrate of these Nations, and to Govern according to this Petition and Advice in all things therein contained, and in all other things according to the Laws of these Nations, and not otherwise; That Your Highness will be pleased during Your Life time, to Appoint and Declare the Person who shall immediatly after Your Death, Succeed You in the Government of these Nations.

II.

That Your Highnesse will for the future be pleased to Call Parliaments consisting of Two Houses (in such manner and Way as shall be more particularly afterwards agreed and Declared in this Petition and Advice) Once in three Years at furthest, or oftener, as the Affairs of the Nation shall require, That being your great Council, and in whose Assem-

on and Advice, Your Self and this People will be most safe and happy.

III.

That the ancient and undoubted Liberties and Privaledges of Parliament (which are the Birth-right and Inheritance of the People, and wherein every man is interessed) be preserved and maintained; And that You will not break or interrupt the same, nor suffer them to be broken or interrupted; And particularly, That those persons who are legally chosen by a Free Election of the People to serve in Parliament, may not be excluded from sitting in Parliament to do their Duties, but by Judgement and Consent of that House whereof they are Members.

IV.

That those who have Advised, Assisted or Abetted the Rebellion of Ireland, and those who do or shall professe the Popish Religion, be disabled and made uncapable for ever to be elected, or to give any Vote in the Election of any Member to sit or serve in Parliament; And that all and every person and persons who have Aided, Abetted, Advised or Assisted in any War against the Parliament, since the First day of January, One thousand six hundred forty one (unless he or they have since born Arms for the Parliament or Your Highness, or otherwise given signal Testimony of his or their good Affection to the Commonwealth, and continued faithfull to the same) And all such as have been actually Engaged in any Plot, Conspiracy or Design against the per-

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son of Your Highnels, or in any Insurrection or Rebellion in England or Wales since the sixteenth day of December, One thousand six hundred fifty three; shall be for ever disabled and made incapable to be elected, or give any vote in the Election of any Member to sit or serve in Parliament. That for Scotland none be capable to elect, or be elected to sit or serve in Parliament, who have been in Arms against the Parliament of England, or against the Parliament in Scotland before the first day of April One thousand six hundred forty eight, (except such as have since born Arms in the Service of the Parliament of England or Your Highnesse, or given other signal Testimony of their good Affection) Nor any that since the said First day of April, One thousand six hundred forty eight, have been in Arms, or otherwise Aided, Abetted, Assisted or Assisted in any War against the Parliament of England or Your Highnels, except such as since the First day of March, One thousand six hundred fifty one (old style) have lived peaceably, and thereby given Testimony of their good Affection to the Parliament and Your Highnels.

Provided, That nothing in this Article contained, shall extend to put any Incapacity upon any English or Scotch Protestants in Ireland, either to elect or be elected to serve in Parliament, who before the first day of March, One thousand six hundred forty nine, have born Arms for the Parliament or Your Highnesse, or otherwise given signall Testimony of their good Affection to this Common-wealth, and continued faithfull to the same; That all Votes and Elections, given or made

contrary, or not according to the Qualifications aforesaid, shall be void and of none effect; and that if any person or persons so uncapable as aforesaid, shall give his or their Vote for Election of Members to serve in Parliament; All and every such person and persons so Electing, shall lose and forfeit one moyety value of his and their respective real Estates, and one full third part of his and their value of the personall Estates. The one Moyety thereof to Your Highnesse, and the other Moyety to him or them who shall sue for the same in any Court of Record by Action of Debt, Bill, Plaint, or Information, wherein no Essoign, Protect of Law, or Protection shall be allowed. And that the Persons who shall be Elected to serve in Parliament, be such, and no other then such, as are persons of known Integrity, fearing God, and of good Conversation, and being of the Age of Twenty one Years, and not such as are disabled by the Act of the Seventeenth Year of the late King, entituled, An Act for disenabling all persons in Holy Orders, to Exercise any Temporal Jurisdiction or Authority, nor such as are Publique Ministers, or Publique Preachers of the Gospel. Nor such as are guilty of any of the Offences mentioned in an Act of Parliament bearing Date the Fourth of August, One thousand six hundred and fifty, Entituled, An Act against several Atheistical, Blasphemous and Execrable Opinions, derogatory to the honor of God, and destructive to humane Society; Or common Scoffers and revilers of Religion, or of any person or persons for professing thereof. No person that hath married or shall marry

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a Wife of the Popish Religion, or hath trained or shall train up his childe or children, or any other childe or children under his tuition or government, in the Popish Religion, or that shall permit or suffer such childe or children to be trained up in the said Religion, or that hath given or shall give his consent that his son or daughter shall marry any of that Religion; No Person that shall deny the Scriptures to be the Word of God, or the Sacraments, Prayer, Magistracy and Ministery to be the Ordinances of God, No common prophaner of the Lords Day, nor prophane Swearer or Curser, no Drunkard or common haunter of Taverns or Alehouses. And that these Qualification may be observed, and yet the Priviledge of Parliament maintained, We desire that it may be by your Highnesse consent Ordained, That Forty one Commissioners be appointed by Act of Parliament, who, or any fifteen or more of them shall be Authorized to Examine and try whether the Members to be Elected for the House of Commons, in future Parliaments be capable to sit, according to the Qualifications mentioned in this Petition and Advice; And in case they finde them not qualified accordingly, then to suspend them from sitting untill the House of Commons shall upon hearing of their particular Cases admit them to sit; which Commissioners are to stand so Authorized for that end, untill the House of Commons in any future Parliament shall nominate the like number of other Commissioners in their places; and those other Com-

missioners so to be nominated in any future Parliament, to have the same Powers and Authorities. That the said Commissioners shall certifie in Writing to the House of Commons, on the first day of their meeting, the Causes and Grounds of their Suspensions of any persons so to be elected as aforesaid. That the Accusation shall be upon the Oath of the Informer, or of some other person; That a Copy of the Accusation shall be left by the party accusing, in Writing under his hand, with the party accused, or in his absence at his house, in the County, City or Town for which he shall be chosen, if he have any such house, or if not, with the Sheriff of the County, if he be chosen for a County, or with the Chief Magistrate of the City or Borough for which he is chosen: And that the number of persons to be Elected and chosen to Sit and serve in Parliament, for ENGLAND, SCOTLAND and IRELAND, and the distribution of the persons so chosen within the Counties, Cities, and Boroughs of them respectively, may be according to such proportions as shall be agreed upon and Declared in this present Parliament.

V.

That your Highnesse will consent, That none be called to Sit and Vote in the other House, but such as are not disabled, but qualified according to the Qualifications mentioned in the former Article, being such as shall be nominated by your Highnesse, and approved by this House; and that they exceed not Seventy in number, nor be under the number of

of Forty (whereof the Quorum to be One and twenty) who shall not give any Vote by Proxies; and that as any of them do dye, or be Legally removed, no new ones be admitted to Sit and Vote in their rooms, but by consent of the House it self: That the other House do not proceed in any Civil Causes, except in Writs of Error, in Cases adjourned from Inferior Courts into the Parliament for difficulty, in Cases of Petitions against Proceedings in Courts of Equity, and in Cases of the Privledges of their own House: That they do not proceed in any Criminall Causes whatsoever, against any person criminally, but upon an Impeachment of the Commons assembled in Parliament, and by their consent: That they do not proceed in any cause, either Civil or Criminal, but according to the known Laws of the Land, and the due course and Custom of Parliament: That no final Determinations or Judgements be by any Members of that House, in any Cause there depending, either Civill, Criminall, or Writ, as Commissioners or Delegates, to be nominated by that House; But all such finall Determinations and Judgements to be by the House it self, Any Law or Usage to the contrary notwithstanding.

VI.

That in all other particulars which concern the calling and holding of Parliaments, Your Highnesse will be pleased, That the Laws and Statutes of the Land be observed and kept; and that no Laws be Altered, Suspended, Abrogated or repealed,

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or new Law made, but by Act of Parliament.

VII.

And to the end there may be a constant Revenue for Support of the Government, and for the Safety and Defence of these Nations by Sea and Land; We declare our willingnesse to Settle forthwith a yearly Revenue of Thirteen hundred thousand Pounds, whereof Ten hundred thousand Pounds for the Navy and Army, and Three hundred thousand Pounds for the Support of the Government, and no part thereof to be Raised by a Land Tax; And this not to be altered without the consent of the Three Estates in Parliament: And to grant such other Temporary Supplies, according as the Commons Assembled in Parliament shal from time to time adjudge the necessities of these Nations to require; And do pray Your Highnesse, That it be Declared and Enacted, That no Charge be laid, nor no person be compelled to Contribute to any Gift, Loan, Benevolence, Tax, Tallage, Aid or other like Charge without common consent by Act of Parliament, which is a Freedom the People of these Nations ought by the Laws to Inherit,

VIII.

That none may be added or admitted to the Privy Council of your Highnesse or Successors, but such as are of known piety, and undoubted affection to the Rights of these Nations, and a just Christian Liberty in matters

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of Religion; nor without consent of the Council to be afterwards approved by both Houses of Parliament, and shall not afterwards be removed, but by consent of Parliament, but may in the Intervals of Parliament be suspended from the Exercise of his Place by your Highnesse or your Successors and the Council for just cause, and that the number of the Council shall not be above One and twenty, whereof the Quorum to be Seven, and not under; As also, that after your Highnesse death, the Commander in Chief under your Successors, of such Army or Armies as shall be necessary to be kept in England, Scotland or Ireland, as also all such Field-Officers at Land, or Generals at Sea, which after that time shall be newly made and Constituted by your Successors, be by consent of the Council, and not otherwise; And that the standing Forces of this Commonwealth shall be disposed of by the Chief Magistrate, by consent of both Houses of Parliament, sitting the Parliament; and in the Intervals of Parliament, by the Chief Magistrate by the Advice of the Council: And also that your Highness and Successors will be pleased to Exercise your Government over these Nations by the Advice of your Council.

IX.

And that the Chancellor, Keeper or Commissioners of the Great Seal of England, the Treasurer or Commissioners of the Treasury there, the Admiral, the Chief Governor of Ireland, the Chancellor, Keeper or

Commissioners of the Great Seal of Ireland, the Chief Justices of both the Benches, and the Chief Baron in England and Ireland, the Commander in chief of the Forces in Scotland, and such Officers of State there, as by Act of Parliament in Scotland, are to be approved by Parliament, and the Judges in Scotland, hereafter to be made, shall be approved of by both houses of Parliament.

X.

And whereas your highnesse out of your zeal to the glory of God, and the propagation of the Gospel of the Lord Jesus Christ, hath been pleased to encourage a Godly Ministery in these Nations, We earnestly desire that such as do openly revile them or their Assemblies, or disturb them in the Worship or Service of God, to the dishonor of God, scandall of good men, or breach of the peace, may be punished according to Law; And where the Laws are defective, that your highnesse will give consent to such Laws as shall be made in that behalf.

XI.

That the true Protestant Christian Religion, as it is contained in the holy Scriptures of the Old and New Testament, and no other, be held forth and asserted for the publique profession of these Nations; And that a Confession of Faith to be agreed by your Highnesse and the Parliament, according to the Rule and Warrant of the Scriptures, be asserted, held forth, and recommended

commended to the people of these Nations. That none may be suffered to pervert, by opprobrious Words or Writing, maliciously or contemptuously to Revile or Reproach the Confession of Faith to be agreed upon as aforesaid: And that they professe Faith in God the Father, and in Jesus Christ his Eternall Son, the true God, and in the holy Spirit, God coequall with the Father and the Son, one God blessed for ever; and do acknowledge the Holy Scriptures of the Old and New Testament, to be the Revealed Will and Word of God, and shall in other things differ in Doctrine, Worship or Discipline, from the Publique Profession held forth; Endeavors shall be used to Convince them, by sound Doctrine, and the Example of a good Conversation, But that they may not be compelled thereto by Penalties, nor restrained from their Profession; but protected from all Injury and Mortification in the profession of the Faith, and exercise of their Religion, Whilst they abuse not this Liberty to the Civill Injury of others, or the Disturbance of the publique Peace; So that this Liberty be not extended to Popery or Prelacy, or to the Countenancing such, who publish horrible Blasphemies, or practise or hold forth Licentiousnesse or Prophanenesse under the profession of Christ: And that those Ministers or Publique Preachers, who shall agree with the publique Profession aforesaid in matters of Faith, although in their Judgement and practice they differ in matters of Worship and Discipline, shall not onely have protestion in the way of their Churches and

Worship

worship respectively; but be esteemed fit and capable, notwithstanding such difference (being otherwise duely Qualified and duely Approved) of any Trust, Promotion or Imployment whatsoever in these Nations, that any Ministers who agree in Doctrine, Worship and Discipline with the publique Profession aforesaid are capable of; And all others who agree with the publique Profession in matters of Faith, although they differ in matters of worship and Discipline as aforesaid, shall not onely have protection as aforesaid, but be esteemed fit and capable (notwithstanding such difference, being otherwise duly Qualified) of any Civill Trust, Imployment or Promotion in these Nations: But for such persons who agree not in matters of Faith with the publique Profession aforesaid, they shall not be capable of receiving the publique Maintenance appointed for the Ministery. Provided, That this Clause shall not be construed to extend to enable such Ministers or publique Preachers, or Pastors of Congregations; But that they be Dis-enabled, and they are hereby Dis-enabled to hold any Civill Imployment, which those in Orders were or are Dis-enabled to hold, by an Act Entituled, An Act for Dis-enabling all persons in Holy Orders, to Exercise any Temporall Jurisdiction or Authority. And that your Highnesse will give your Consent, That all Laws, Statutes, Ordinances and Clauses in any Law, Statute and Ordinance, So far as they are contrary to the aforesaid Liberty, be Repealed.

XII. That

XII.

That all Acts and Ordinances of Parliaments, made for the abolishing of Archbishops, and Bishops, and for the abolishing of Deans, Deans and Chapters, Canons, Prebends, and other Offices and Titles, of, or belonging to any Cathedrall, or Collegiate Church or Chappel; and for the sale or other disposition of the Lands, Rents, and Hereditaments, unto any, or either of them belonging; or for the sale or other disposition of the Lands, Rents, and Hereditaments of the late King, Queen, or Prince; or of the Lands of Delinquents, Fee-Farm, or other Rents, Forrest-Lands, or any of them; or any other Lands, Tenements, Rents, or Hereditaments, lately belonging to the Commonwealth, shall no way be impeached, but that they do remain good and firm: And that the Security given by Act and Ordinance of Parliament, for any Sum or Sums of monies, by any of the said Lands, the Excise, or by any other publick Revenue: And also the Securities given by the Publick-Faith of the Nation, and the Engagement of the Publick-Faith for satisfaction of Debts, may remain firm and good, and not be made void by any pretence whatsoever.

XIII.

That all and every person and persons, who have Aided, Abetted, Advised or Assisted in any War against the Parliament, since the first day of January, 1641. (unless he or they have since born Arms for the Parliament, or your High-

nels, or otherwise given signal testimony of his or their good affection to the Commonwealth, and continued faithfull to the same) and all such as have been actually engaged in any plot, Conspiracy, or Design, against the Person of your Highness, or in any Insurrection or Rebellion in England or Wales, since the sixteenth of December, 1653. And for Scotland, that all and every person and persons, who have been in Arms against the Parliament of England, or against the Parliament in Scotland, before the first day of April, 1648. (except such as have since born Arms in the service of the Parliament of England, or your Highness, or given other signal testimony of their good affection) and every person or persons, that since the said first day of April, 1648. have been in Arms, or otherwise Aided, Abetted, Advised, or Assisted in any war against the Parliament of England, or your Highness, (except such persons who having been in Arms, or otherwise Abetted, Advised or assisted in any war against the Parliament of England, or your Highness, since the first day of April, 1648. and were not in Arms against the Parliament of England, or against the Parliament of Scotland, before the first day of April, 1648. and have since the first day of March, 1651. (old style) lived peaceably, and thereby given testimony of their good affection to the Parliament, and your Highness, be made uncapable for ever, of holding or enjoying of any Office or place of publick Trust in these three Nations, or any of them.

Provided, That nothing in this Article contained, shall extend to put any incapacity in

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this Article mentioned, upon any English or Scotish Protestants in Ireland, who, before the first day of March, 1649. have been Active for the Parliament, or your Highness, or otherwise given signall testimony of their good affection to this Common-wealth, and continued faithfull to the same.

XIV.

And that your Highness will be pleased to consent, that nothing in this Petition and Advice contained, nor your Highness assent thereto, shall be construed to extend to the dissolving of this present Parliament; but that the same shall continue and remain, untill such time as your Highness shall think fit to dissolve the same.

XVI.

And that nothing contayned in this Petition and Advice, nor your Highness consent thereunto, shall be construed to extend to the repealing or making void of any Act or Ordinance, which is not contrary hereunto, or to the matters herein contained; but that the said Acts and Ordinances not contrary hereunto shall continue and remain in force, in such manner as if this present Petition and Advice had not at all been had or made, or your Highness consent thereunto given.

XVII.

And that all Writs issued out of the Chancery, and all Writs and Patents of the Judges of the one Bench, and of the other, Barons of the

the Exchequer, Commissions of Oyer and Terminer, Goal-delivery, and Justices of the Peace, And all other Commissions, Patents, and Grants, made and passed under the great Seal of England, Scotland or Ireland, shall stand good and effectual in the Law, notwithstanding this petition and Advice, or your Highness assent thereunto, or any Law, Statute, or Custome to the contrary; And that all Writs, and all Commissions, Indictments, Informations, Proces, Actions, Suits, Bills or Plaints, taken out, or now depending in any Court of Record at Westminster, or any other Court of Record, in England, Scotland, or Ireland, or in the Town of Berwick upon Tweed; And all Process, Pleas, Demurrers, Continuances, and Proceedings, in every such Writs, Indictments, Informations, Actions, Suits, Bills, and Plaints, shall be returnable, stand good and effectual, and be prosecuted and sued forth, in such manner and form, and in the same state, condition and order, the Stile and Teste of Proceedings, after passing of these presents, being made conformable thereunto, this present Petition and Advice, or your Highness assent thereunto, or any Law, Custome or usage to the contrary thereof in any wise notwithstanding; And that any variance that shall be occasioned by reason thereof, touching any the said Writs, Process, or proceedings in the Name, Style, Teste, or otherwise, shall not be in any wise material as concerning any default or errour to be alledged or objected thereunto.

XVIII.

XVIII.

And that your Highneſſe and your Succeſſors, will be pleaſed to make an Oath, in ſuch form as ſhall be agreed upon by your Highneſſe and this preſent Parliament, to Govern theſe Nations according to the Law.

And in caſe your Highneſſe ſhall not be ſatisfied, to give your conſent to all the Matters and Things in this Humble Petition and Advice, that then nothing in the ſame be deemed of Force, to oblige the People of theſe Nations in any the particulars therein contained.

And theſe our deſires being granted by your Highneſſe, we ſhall hope (through the rich mercy and goodneſſe of God) that it will prove ſome remedy to thoſe dangers, diſtractions and diſtempers which theſe Nations are now in, and be an effectuall meanes to remove thoſe jealouſies and fears which remain in the minds of many men concerning the Government of this Commonwealth; And thereby we ſhall be enabled and encouraged with all chearfulneſſe, to the ſetting of ſuch things, which ſhall be further neceſſary for the good of theſe Nations, and be moſt ready to joyn with You in promoting the Work of Reformation, happily begun by your Highneſs, the regulating Courts of Juſtice, and abridging both the delaies and Charges of Law Suits, and apply our ſelves to ſuch other Courſes and Councels as may be moſt like to heal our breaches and diviſions, and to reſtore theſe poor Nations to a Union and conſiſtencie

with themselves, and to lay a foundation of further confidence between your Highnesse and them, to the rejoycing of the hearts of our Friends, and terror of our Enemies.

Which Petition being presented the 25. day of *May* 1657. His Highnesse answer thereunto was read by the Clerk of the Parliament in these words,

The Lord Protector doth consent.

TO HIS HIGHNESS THE LORD PROTECTOR OF THE COMMONVVEALTH OF *England, Scotland,* and *Ireland,* and the Dominions and Territories thereunto belonging:

The Humble Additional and Explanatory PETITION and ADVICE of the Knights, Citizens, and Burgesses now assembled in the PARLIAMENT of this COMMONWEALTH.

EDINBURGH, Re-printed by *Christopher Higgins*, in *Hart's*-Close, over against the TRONE-CHURCH. 1657.

TO HIS HIGHNES THE LORD PROTECTOR OF THE Commonwealth of *England*, *Scotland*, and *Ireland*, and the Dominions and Territories thereunto belonging.

The Humble Additional and Explanatory Petition and Advice, of the Knights, Citizens, and Burgesses now Assembled in the Parliament of this Commonwealth.

WHereas upon the Humble Petition and Advice of the said Knights, Citizens, and Burgesses now Assembled in the Parliament of this Commonwealth, lately presented and consented unto by your Highness, certain Doubts and Questions have arisen, concerning some particulars therein comprised, for explanation whereof, May it please your Highness to declare and consent unto the Additions and Explanations hereafter mentioned, and may it be declared with your Highness Consent.

In the fourth Article.

That such person and persons as invaded England, under Duke Hamilton, in the year 1648. Or Advised, Consented, Assisted, or voluntarily Contributed unto that War; And were for that cause debarred from publick Trust by the Parliament of Scotland, be uncapable to Elect, or

be Elected, to sit and serve as Members of Parliament, or in any other place of Publick Trust, relating unto the Fourth and Thirteenth Articles in the Petition and Advice, excepting such as since have born Arms for your Highness, or the Parliament, or have been admitted to sit and serve in the Parliament of this Commonwealth, and are of good life and Conversation, or such as shall hereafter be declared by your Highness, with the Advice of your Council, to have given some signal testimony of their good affection and continuance in the same.

That the Proviso in the said fourth Article, be explained thus, viz. That such English and Scotish Protestants, who (since the defection of the Earl of Ormond, and the Lord Inchiquin, and before the first day of March, 1649) have born Arms for, and ever since continued faithfull to the Parliament, or your Highness, or have otherwise (before the said first day of March 1649) given signall testimony of their good affection to this Commonwealth, and have ever since continued faithfull to the same, shall not be debarred or deemed uncapable of Electing, or being Elected to serve in Parliament.

And whereas in the said fourth Article, Publique Ministers, or Publique Preachers of the Gospel, are disabled to be Elected to serve in Parliament; It is hereby explained and declared to extend to such Ministers and Preachers onely, as have Maintenance for Preaching, or are Pastors or Teachers of Congregations.

In the said fourth Article.

That in stead of Commissioners to be appointed by Act of Parliament, to examine and try

try whether the Members to be elected for the House of Commons in future Parliaments, be capable to sit according to the Qualifications mentioned in the said Petition and Advice, there shall be the Penalty and Fine of One thousand pounds laid and inflicted upon every such unqualified Member (being so adjudged) by the said House of Commons, and imprisonment of his Person untill payment thereof.

And that the ensuing Clauses in the said Article, viz. We desire that it may by your Highness Consent be Ordained, That forty and one Commissioners, be appointed by Act of Parliament, who, or five or more of them, shall be Authorized to examine and try whether the Members to be Elected for the House of Commons in future Parliaments, be Capable to sit according to the qualifications mentioned in this Petition and Advice, and in case they finde them not qualified accordingly, then to suspend them from sitting, untill the House of Commons, shal, upon hearing their particular Cases, admit them to sit; which Commissioners are to stand so Authorized for that end, untill the House of Commons in any future Parliament, shall nominate the like number of other Commissioners in their places: And those other Commissioners, so to be nominated in any future Parliament, to have the same Power and Authority. That the said Commissioners shall Certifie in writing to the House of Commons, on the first day of their meeting, the cause and grounds of their suspensions of any person so to be Elected as aforesaid; That the Accusation shall be upon Oath of the Informant, or of some other person. That a Copy of the accusation shall be left, by the party accusing, in writing under his hand, with the party accused, or in his absence, at his house in the Country, City, or Town, for which he shall be Chosen, if he have any

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such House, or if not, with the Sheriff of the County, if he be chosen for a County, or with the chief Magistrate of the City, or Burrough, for which he is chosen; shall not be put in Execution, or made use of, but shall be void, frustrate, null and of none effect, and shall be so construed and taken to all intents and purposes whatsoever, any thing contained in the said Petition and Advice to the contrary notwithstanding.

In the fifth Article.

That the Nomination of the persons to supply the place of such Members of the other House, as shall die, or be removed, shall be by your Highness and your Successors.

In the seventh Article.

That the Moneys directed to be for the supply of the Sea and Land Forces, be issued by Advice of the Council; And that the Treasurer, or Commissioners of the Treasury, shall give an Accompt of all the said Money to every Parliament.

That the Officers of State, and Judges, in the ninth Article of the said Petition and Advice mentioned, shall be chosen, in the Intervals of Parliament, by the Consent of the Council, to be afterwards approved by Parliament.

That your Highness will be pleased, according to the usage of former Chief Magistrates in these Nations, and for the better satisfaction of the People thereof, to take an Oath in the form ensuing.

I do in the presence, and by the Name of God Almighty, promise and swear, That to the

the uttermoſt of my power I will uphold, and maintain the true Reformed Proteſtant Chriſtian Religion, in the purity thereof, as it is contained in the Holy Scriptures of the Old and New Teſtament, to the uttermoſt of my power and underſtanding, and incourage the profeſsion, and profeſſours of the ſame; and that to the utmoſt of my power, I will Endeavour, as chief Magiſtrate of theſe three Nations, the Maintenance and Preſervation of the Peace and ſafety, and of the juſt Rights and Priviledges of the People thereof; And ſhall in all things, according to my beſt knowledge and power, govern the People of theſe Nations according to Law.

That your Highneſſe Succeſſors, do, before they take upon them the Government of theſe Nations, take an Oath in the form aforeſaid.

That all ſuch perſons who now are, or ſhall hereafter be of the privy Counell of your Highneſs or Succeſſors, before they, or either of them, do act as Councellors, ſhall reſpectively take an Oath, before perſons to be authorized by your Highneſs and Succeſſors for that purpoſe, in the form following.

I A. B. Do in the preſence, and by the Name of God Almighty, promiſe and ſwear, That to the uttermoſt of my power, in my place, I will uphold, and maintain the true Reformed Proteſtant Chriſtian Religion, in the purity thereof, as it is contayned in the

Holy Scriptures of the Old and New Testament, and encourage the profession and professors of the same; And that I will be true and faithfull to His Highnesse the Lord Protector of the Common-wealth of *England*, *Scotland*, and *Ireland*, and the Dominions thereto belonging, as Chief Magistrate thereof, And shall not contrive, design, or attempt any thing, against the person or lawfull authority of his said Highnesse, and shall keep secret all matters that shall be treated of in Councel, and put under secrecy, and not reveal them but by Command or consent of His Highnesse, the Parliament, or the Councel, and shall in all things faithfully perform the Trust committed to me as a Counsellor, according to the best of my understanding, in order to the good Government, peace and welfare of these Nations.

That the same Oath be taken by the Members of your Highnesse Council of Scotland, **and** Ireland.

That every person who now is, or hereafter shall be a Member of either House of Parliament, before he sit in Parliament, shall, from and after the first day of July, 1657. **take an Oath before persons, to be Authorized and appointed by your Highnesse and Successors for that purpose, in the form following.**

I A. B. do in the presence, and by the name of God Almighty, promise and swear, that

to the uttermoſt of my power in my place, I will uphold and maintain the true Reformed Proteſtant Chriſtian Religion, in the purity thereof, as it is contained in the Holy Scriptures of the Old and New Teſtament, and encourage the profeſsion and profeſſors of the ſame, and that I will be true and faithfull to the Lord Protector of the Commonwealth of *England*, *Scotland*, and *Ireland*, and the Dominions and Territories thereunto belonging, as Chief Magiſtrate thereof; And ſhall not Contrive, Deſign, or Attempt any thing againſt the Perſon or lawfull Authority of the Lord Protector, and ſhall endeavour as much as in me lies, as a Member of Parliament, the preſervation of the Rights and Liberties of the People.

That your Highneſſe would be pleaſed in convenient time, before the next meeting of this Parliament, to cauſe ſeverall Summons in due form of Law, to be iſſued forth to ſuch perſons as your Highneſs ſhall think fit (being qualified according to the Humble Petition and Advice of the Parliament, whereto your Highneſſe hath conſented) to ſit and ſerve as Members in the other houſe of Parliament, by which Summons the ſaid perſons ſhall be reſpectively commanded to be, and perſonally to appear at a certain place and time, to be appointed by your Highneſſe, to give their Advice and Aſſiſtance, and to do ſuch things concerning the Great and

weighty

weighty Affairs of this Commonwealth, as to the other House of Parliament doth appertain, by the said humble Petition and Advice.

That the Persons so summoned and assembled together, shall be, and are hereby declared to be the other House of Parliament; and shall, and may without further Approbation of this House, from such time of their Sitting, proceed, to do and perform, all such matters and things, as the other House of Parliament ought to do and perform, and shall and may have, use and exercise, all such Privileges, Powers and Authorities, as the other House of Parliament ought, by the aforesaid humble Petition and Advice to have and Exercise; the said humble petition and Advice, or any thing therein contained, to the contrary thereof notwithstanding.

Which Petition being presented the 26. day of *June*, 1657. His Highnesse Answer thereunto was read by the Clerk of the Parliament in these words;

The Lord Protector doth consent.